

## **REMARKS**

Claims 30-36 are presently pending. Claims 1-29 were rejected and are now cancelled without prejudice.

Assignee has reviewed the Chetty and Davis references and believes that each of the claims are allowable over Chetty and Davis.

Claim 32 recites that the “input receives the account information during an incoming phone call to the mobile terminal, and wherein the account information is transmitted as audio signals.” Examiner indicated that “Chetty teaches that transmitting the information about the account to the mobile terminal comprises placing an outgoing phone call to the mobile terminal. (Pages 5 & 6 [0066] and Fig. 13 [1352]).

Assignee respectfully submits that Chetty, Pages 5 & 6 [0066] merely teaches:

The portable unit is loaded with software that enables the user to upload the digital card file from the issuer's website and/or e-mail to his or her portable unit. The digital card file to be downloaded via Internet, wireless etc. may be encrypted and may include some or all of the personal information such as phone number of the portable unit, e-mail address, and unique portable unit identifier. This personal information ensures that the digital card file is being transmitted to an authorized recipient. Otherwise, a request is issued to connect to the card issuer's website and begin re-authentication (block 835).


Chetty, [0066] p. 5-6 (Emphasis Added). Chetty, Fig. 13 [1352] merely indicates “Retrieve selected code/s from memory and/or remote transceiver”. Accordingly, Assignee respectfully traverses that Examiner's assertion that “Chetty teaches that transmitting the information about the account to the mobile terminal comprises placing an outgoing phone call to the mobile terminal. (Pages 5 & 6 [0066] and Fig. 13 [1352]).

## **Conclusion**

For the foregoing reasons, each of the pending claims are allowable making the application in a condition for allowance. A notice of allowance is respectfully requested. It is believed that no fee is due, however, to the extent that any fee is due, the Commissioner is hereby authorized to charge such fee to charge account 13-0017.

The Commissioner is hereby authorized to charge any fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,



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